

, **BOROUGH OF DUMONT**  
**BERGEN COUNTY, N.J.**  
**EXECUTIVE SESSION MINUTES**  
**MARCH 4, 2014**  
**6:30PM**

Mayor Kelly called the meeting to order at 6:30PM

**Flag Salute, Silent Prayer**

**Sunshine Law:** The notice requirements of the Open Public Meetings Act of the State of New Jersey have been satisfied by the inclusion of the date, time and place of this regular meeting in the annual schedule and notice of regular meetings of this Governing Body. Such annual schedule and notice of regular meetings is posted at Borough Hall, was sent to *The Record* and the *Ridgewood News*, posted on the Borough website and filed with the Borough of Dumont.

**Roll Call:** Council members Brophy, Carrick (via phone), Correa, Hayes, Riquelme-present Councilwoman Zamechansky-absent  
Mayor Kelly-present

Motion to accept agenda as presented: Councilman Hayes  
Second: Councilman Riquelme  
All in favor.

**Public Participation**-nobody from the public present

**ADMINISTRATOR'S REPORT**

Mr. Perkins had a meeting with United Water to discuss two projects they are planning. One is a 6'-8' main change from Richard to Avon on Sunset and Erie Street from Johnson to Cooper. Notices will be sent to residents affected by this project.

There will be a resolution on the next agenda regarding an Open Space Grant requesting a time extension, which has to be approved by the Freeholders.

There will also be a resolution at the next meeting approving inclusion of "Friends of the Shade Tree" under the Borough's insurance.

Mr. Perkins has spoken to the Police Chief and two captains regarding Police Department Dispatch per diems. It was the consensus of the Council to move forward with this, salary would be between \$12.75 and \$16.00 per hour according to qualifications.

The Borough received a reimbursement from FEMA in the amount of \$25,934.13.

**Council Committee Reports**

- Councilman Brophy

*Finance*

The Committee has been meeting regularly Wednesday evenings and Saturday mornings. There are some challenges-for instance, the BCUA and PSE&G rates are going up. The auditor will be present at the next meeting.

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- Councilman Carrick

No report

- Councilwoman Correa

#### *Board of Education*

She attended their meeting. They have a tentative budget and are below cap. At the present time there is a \$117 increase based on an average assessed \$307,000 home. They run on a fiscal calendar.

- Councilman Hayes

#### *Joint Land Use Board*

At their February 25<sup>th</sup> meeting, the Board memorialized the resolution upgrading the PSE&G substation on Veteran's Plaza. A Lafayette Avenue subdivision application was denied. They also submitted an annual report to the Mayor and Council.

#### *Rent Leveling Board*

The last scheduled meeting was cancelled.

- Councilman Riquelme

#### *Board of Health*

The last scheduled meeting was cancelled.

#### *Library*

There are issues with leaks from the roof and they should be addressed when the snow on the roof melts.

### **Mayor's Report**

No report

### **Attorney's Report**

Maintenance bonds have been received for the NJEIT Phase II project. Mr. Perkins explained that there is an issue as to whether T&M or PSE&G was responsible for the necessity of changing the line on Larch Avenue. PSE&G claims it was not their responsibility. Mr. Paster stated that the Borough is still waiting for the change order from T&M certifying the necessity of exceeding a 20% change order. The engineer is waiting for final payment before he signs the certification, which is required by state statute.

The Municipal Clerk read the resolution to enter closed session for discussion of:

Litigation-Landmark

Personnel-Police

Motion: Councilman Brophy

Second: Councilman Riquelme

Roll call vote: Council members Brophy, Carrick, Correa, Hayes, Riquelme-yes

Residents were informed that although the meeting had already been open to the public the meeting would again be open to the public following closed session.

Following closed session:

Motion to go back into public: Councilman Riquelme

Second: Councilman Hayes

All in favor.

Mayor Kelly informed the residents present that there is very little that can be answered. The attorney will respond to questions. He asked that each resident speak only once.

Motion to open to the public: Councilman Brophy

Second: Councilman Hayes

All in favor.

1. Phyllis Binney, 32 Roxbury Rd., spoke of COAH and cited certain information from the November 12<sup>th</sup> minutes at which meeting the developers for D'Angelo Farms were present. They did not supply the council members with any written documents. The Joint Land Use Board agreed on a COAH plan of twelve units per acre. She asked the Council to rescind the plan and not to vote to rezone.

2. Kathy Doherty, Roxbury Rd., had attended the Joint Land Use Board meeting and asked for clarification of the implementation of zoning in the COAH plan. She asked if the residents are supposed to be notified prior to variance hearings.

Mr. Paster explained that rezoning ordinances are adopted by the Governing Body and site plans are adopted by the Joint Land Use Board. The lawsuit asks for forty units per acre. The plan that was adopted by the Land Use Board and ratified by the Council called for twelve units per acre.

3. Steve O'Neil, 100 Pleasant St., said it sounds like the Governing Body has already agreed. Mr. Paster explained that the lawsuit is asking for forty units per acre. The plan submitted to the State to fulfill Dumont's affordable housing obligation is not a request or choice; it's something that is required under the Constitution of New Jersey and has to be addressed.

4. Rachel Bunin, Poplar St., asked why nobody cared about COAH when the building on Sunnyside was built.

5. Richard O'Conner, Blish Pl., commented that a building in that area will affect the values of homes.

6. Chris Lisnell, 84 Franklin St., asked if the rezoning already passed. Mr. Paster explained that it would be done by ordinance. The Joint Land Use Board would have a comment period and there would be a public hearing.

7. Mr. Veluzzi, Franklin St., asked if we could stop the developers by not rezoning. Mr. Paster responded that that is exactly what the lawsuit states.

8. Jackie Corless, Larch Ave., asked about COAH being ruled unconstitutional. Mr. Paster replied that COAH wasn't ruled unconstitutional; the third round regulations were ruled unconstitutional due to a technicality. The town received some credits for senior housing apartments on Aladdin.

9. Joanne Kamvasoulis will be moving to 525 Washington Ave., asked why there was a rush to pass the ordinance. Mr. Paster explained that since 1985 Dumont has not been in a position where a large parcel of property was in danger of being developed. The data compilation began in 2007.

10. Kathleen Velazquez, Roxbury Rd., said it sounds like it's a done deal. She is concerned about garbage, rats and drainage.

11. Joe Annacchino, 84 Andover Rd., is concerned about the schools' future state tests if apartments are built housing people with low income. There will be a rise in crime. He is not happy.

12. George Joseph, 35 Stratford Rd., said that he lives on a dead end and was concerned that it would become a cut-through and said that the present traffic is bad.

13. Ms. Scarpelli, 28 Wood Pl., stated residents are keeping an eye on the Mayor And Council.

14. John Hochnagel, 30 Wilkens Dr., is concerned about the height, the necessity of an additional school and that the development will change the makeup of the town.

15. Denise Haenschen, 39 Merritt Ave., asked why there are building restrictions for residents but the town is permitted to rezone. Mr. Paster explained that the Governing Body and Joint Land Use Board are attempting to maintain as much control of the zoning process and not leave it to the courts and outside arbitrators, who aren't involved in the town.

16. Tom Grassi, Merritt Ave., asked if an official plan has been submitted and questioned the fact that the developers said they would be paying more taxes.

17. Ms. McCabe, 84 Hickory St., asked if the D'Angelo property had already been sold. Mr. Paster answered that it is under contract. The town was not given the opportunity to put in a bid; to interfere with the contract now could be catastrophic for the town.

Motion to close to the public: Councilman Brophy

Second: Councilman Hayes

All in favor.

Motion to adjourn: Councilman Brophy

Second: Councilman Hayes

All in favor.

Meeting adjourned at 8:35PM

Minutes respectfully submitted by:

Susan Connelly, RMC

Municipal Clerk